



September 18, 2008



Mr. Brett Loethen  
DOWNTOWN SPFD PROP LLC  
PO BOX 50306  
SPRINGFIELD MO 65805-0306

CERTIFIED MAIL: # 7007 0220 0003 6276 4231

**OFFICIAL NOTICE OF VIOLATION**

Dear Mr. Loethen:

This letter is to provide a official notice to Downtown Spfd. Prop. LLC located at 331-333 Park Central East that the City of Springfield is experiencing significant problems with extraneous stormwater, groundwater, etc. entering the City of Springfield sanitary sewer system during high rainfall precipitation events. We have received numerous complaints from users in and around where your property is located of the sanitary sewer backing up into basements and have experienced extremely high flows and unauthorized bypasses from our sewer system downstream of this location and treatment plants during these rainfall events. We are reviewing documentation obtained in a Sewer System Evaluation Survey (SSES) that was mandated in a Consent Decree with the Missouri Department of Natural Resources over the last 12 years to find sources of extraneous flow called Infiltration and Inflow. This violation was identified during the SSES. You will find copies of documentation of our findings during a building inspection of your property included for your information. The inspection revealed this property has two stair well drains and a wet weather spring that are tributary to City the sanitary sewer system. These connections are strictly in violation of the Springfield City Code.

This letter shall serve as an Official Notice of Violation to Downtown Spfd. Prop. LLC that the Springfield City Code pertaining to users of the Springfield sewer system is being violated. The applicable Section being violated is found at Chapter 120-12 (b) (18) and reads as follows: "Sec. 120-112. Restricted discharges." "(b) No person shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which acting alone or in conjunction with other substances present in the POTW interferes with the operation or performance of the POTW or which causes or contributes to interference or pass through. A person shall not contribute substances to the POTW which may:" "(18) Contain stormwater, surface water, groundwater, well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, cooling water and unpolluted wastewater, unless specifically authorized by the director."

We expect your prompt attention to this letter and ask again that you submit your plan of

**DEPARTMENT OF PUBLIC WORKS**

1216 W. Nichols • Springfield, Missouri 65802

phone: (417) 864-1923

homepage: <http://www.springfieldmogov.org> • e-mail: [city@ci.springfield.mo.us](mailto:city@ci.springfield.mo.us)

September 18, 2008

action and a schedule of action be provided to our attention within 90 days or by December 18, 2008. If compliance with this directive is not achieved within the 90 days, a summons will be issued to appear in Municipal Court. As mandated by the U.S. Environmental Protection Agency and the Missouri Department of Natural Resources, Chapter 120 of the Springfield City Code carries civil and criminal penalties for violations, if convicted, in the amount of \$1,000 per day per violation or up to 180 days imprisonment, or both fine and imprisonment. If you have any questions in regard to this request, please let us know.

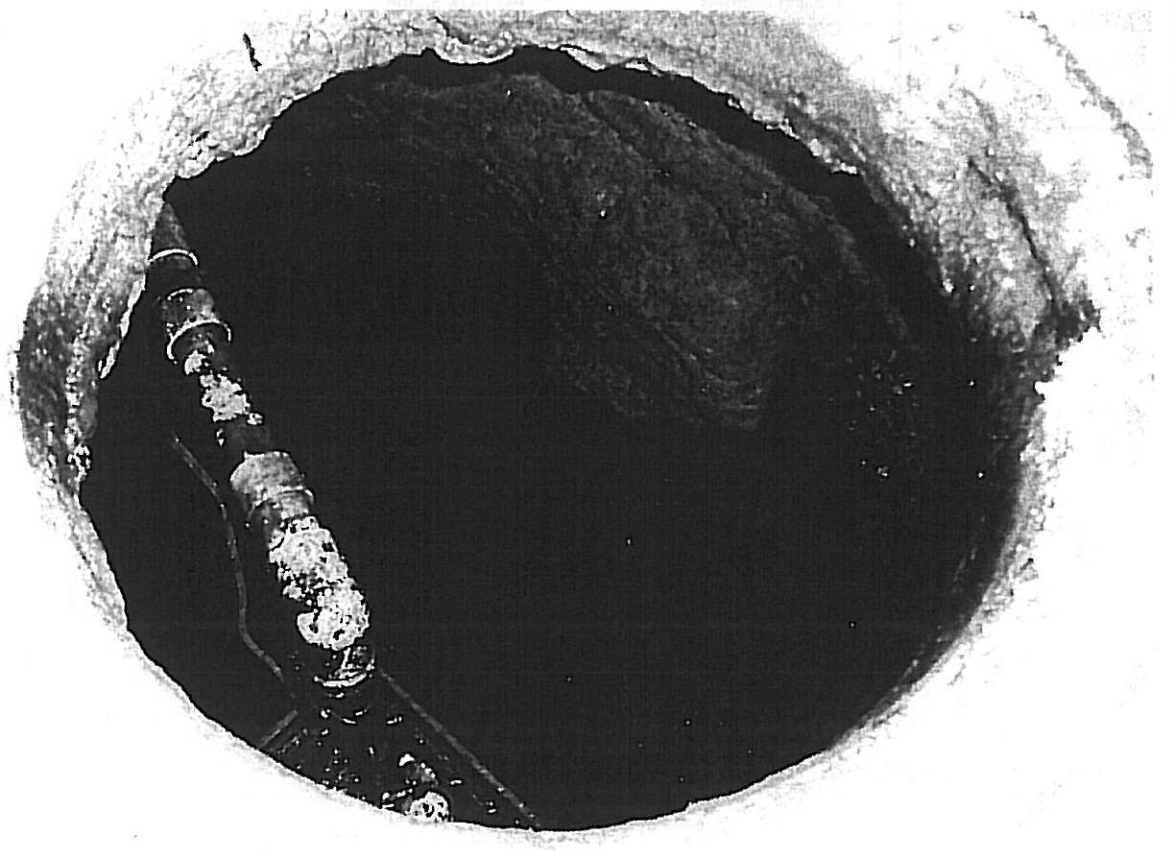
Sincerely yours,



J. Randall Lyman  
Environmental Compliance Officer

cc: Cindy Davies, Mo. Dept. of Natural Resources  
Marc Thornsberry, Director of Public Works  
Steve Meyer, Asst, Director of Public Works-Environmental Services  
Marianne Banks, Asst. City Attorney  
Ed Malter, Supt. Of Sanitary Services  
Kevin Swearengin, Supervisor of Sewer Maintenance  
Pretreatment Inspectors  
File

C:\Backup\MyFiles\333parkcentraleast.doc



# Greene County Assessor's Office

Map Site &gt; County

RECORD DETAILS

Home Property Search

Owner Name Address Parcel ID Parcel Buffer Map

## Profile

Residential  
Commercial  
Values  
Out Buildings  
Sketch  
Photo  
Map

**1324234003****331 E PARK CENTRAL SQ****DOWNTOWN SPFD PROP LLC****Owner**

Name(s) DOWNTOWN SPFD PROP LLC

Mailing Address  
City,State,Zip CodePO BOX 50306  
SPRINGFIELD MO 65805-0306**Parcel**

Property Location 331 333 PARK CENTRAL SQ  
Parcel ID 1324234003  
School District SPRINGFIELD SCHOOL DIST  
Classification COMMERCIAL  
Land Use Code C - OFFICE BULD 3 OR MORE STORIES ELEVAT  
Valuation Neighborhood C210  
Land Area (acres) .2726  
Tax District CID SPRINGFIELD R12 Z1  
Tax District Code 215  
Zone Code  
Zone Description

**Sales**

Date	Deed Book and Page
25-JUL-2002	2963 - 0673
01-NOV-1994	2354 - 0866
01-AUG-1994	2340 - 1116
01-MAY-1991	2140 - 0483
01-JUL-1985	1880 - 1674

**Legal Description**

O P OF SPG BEG 75.24 FT W SE COR LOT 13 BLK 7 O P SPG N 20.5

CURRENT

21 of 2

Return To Search

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Last Updated: 9/4/2008

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# BUILDING INSPECTION

City of Springfield, Missouri

Date: 08.17.94

Line Segment: (JC22) 019NW164 to (JC22) 019NW033  
upstream downstream

Project No. : \_\_\_\_\_ Project Location: \_\_\_\_\_ Crew: T.P.R.L.

## PART A: GENERAL

Occupant: Woodruff Building Phone: 862-1790  
Address: 333 Park Central East P.O. Box: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: 65866

(New owner)  
Owner: Warren Davis Properties Phone: 326-5654  
Address: 911 W Summit P.O. Box: \_\_\_\_\_  
City: Bolivar State: \_\_\_\_\_ Zip: 65613

Inspection Attempt: \_\_\_\_\_ Date: \_\_\_\_\_ Status: \_\_\_\_\_

Comments: No sump pumps in elevator shafts but installs portable sumps if needed & pumps stormwater into floor drains

1 08.17.94 1  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_

Has 1 Sump pump, & 5 floor drains in basement. Info. from Mike Johnson - Also has 2 stairwell drains

Status:  
1 = Inspected  
2 = Not at Home  
3 = Refusal  
4 = Not Inspected

## PART B: HISTORY

History of Flooding Yes ☒ No ☐

Date	Source	Maximum Depth (ft)	Duration (hrs)	Action Taken
<u>08.01.93</u>	<u>5</u>	_____	_____	<u>1</u>
<u>08.01.91</u>	<u>1</u>	_____	_____	<u>1</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Source:  
1 = Sanitary Backup  
2 = Stairwell Stormwater  
3 = Window Well Stormwater  
4 = Wall Seepage  
5 = Blockage (private line)  
6 = Manhole Overflow  
7 = Unknown

Action Taken:  
1 = Called Roto Rooter  
2 = Installed Sump Pump  
3 = Eliminated Stormwater Source  
4 = Removed Blockage  
5 = Called City  
6 = Other  
7 = None

AUG 18 1994

## PART C: BUILDING DATA

Building Type: 8  
Approximate Building Age: 77  
Years Occupied by Present Owner/Occupant: 2 days  
Basement Type: 1

Building Type:  
1 = Ranch 5 = Duplex 9 = Industrial  
2 = Raised Ranch 6 = Townhouse 10 = Institutional  
3 = Split Level 7 = Apt. Building 11 = Other  
4 = Two-Story 8 = Commercial

Basement Type:  
1 = Full  
2 = Half  
3 = Crawl Space  
4 = None

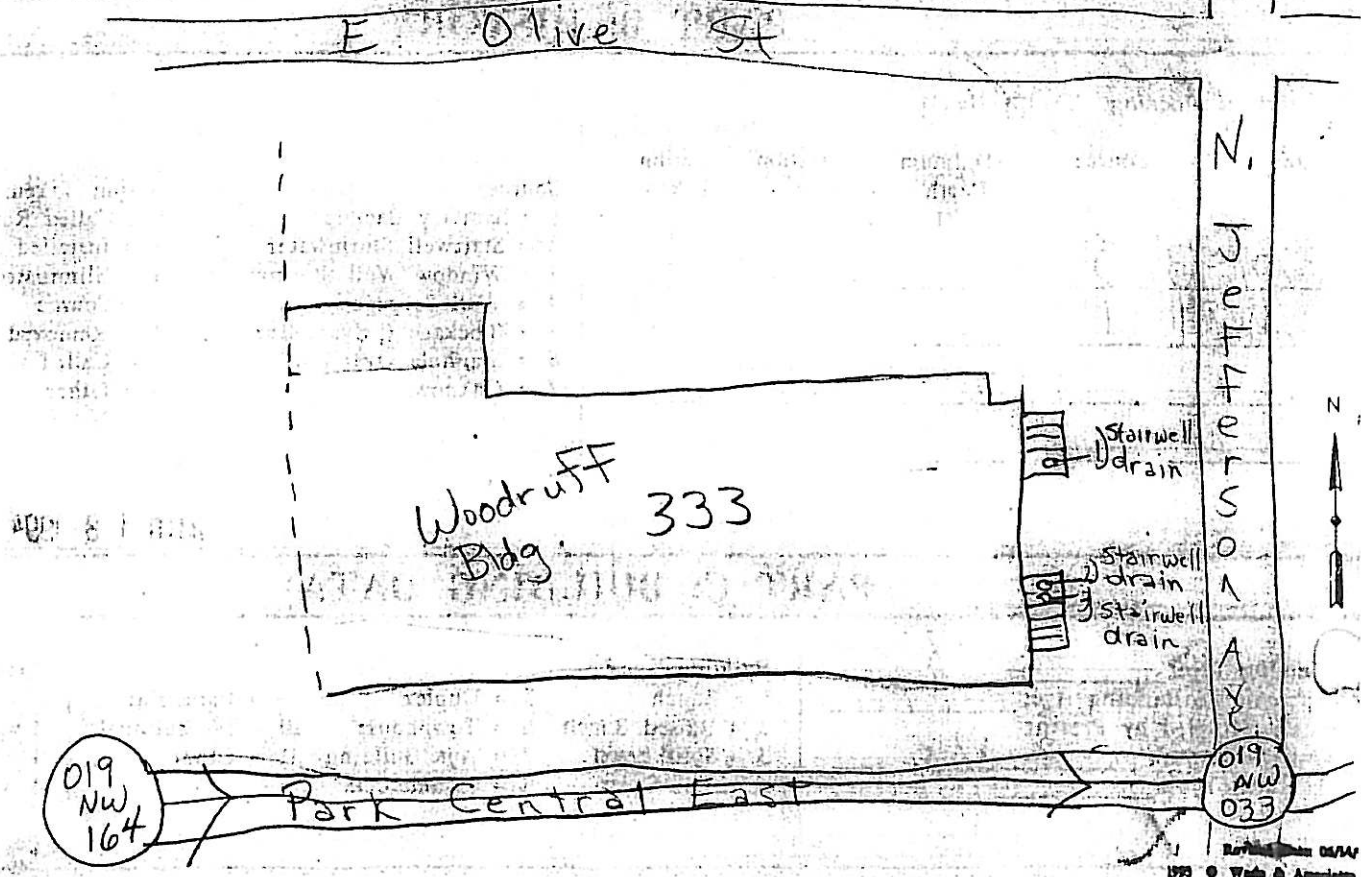
# PART D: SOURCE DATA

Defect No.	Defect Type	Tributary Area (sq. ft.)	CONFIRMATION					Date: <u>7.2.98</u>	Comments:
			Test Type		Positive				
			D	S	Yes	No	Sus		
1	<u>9</u>	<u>    </u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
2	<u>4</u>	<u>50</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
3	<u>4</u>	<u>50</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
4	<u>4</u>	<u>50</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
5	<u>    </u>	<u>    </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
6	<u>    </u>	<u>    </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
7	<u>    </u>	<u>    </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
8	<u>    </u>	<u>    </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
9	<u>    </u>	<u>    </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	
10	<u>    </u>	<u>    </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>                    </u>	

Defect Type:  
 1 = Downspout  
 2 = Uncapped Cleanout  
 3 = Driveway Drain  
 4 = Stairwell Drain  
 5 = Foundation Drain  
 6 = Area Drain  
 7 = Service Lateral  
 8 = Window well Drain  
 9 = Sump

Sump Data: Location 1 Sealed 2 Drain 2 Source of Water 4 Connection Type 1 Discharge 1  
 1 = Inside 1 = Yes 1 = Yes 1 = Foundation Drain 1 = Sump Pump with Single Discharge 1 = Sanitary  
 2 = Outside 2 = No 2 = No 2 = Sanitary 2 = Sump Pump with Diverter Valve 2 = Outside  
 3 = Combination 3 = Pit Only 3 = Storm  
 4 = Storm 4 = Drain in Bottom of Pit 4 = Unknown  
 5 = None 5 = Pit with Drain and Pump

Diagram:



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Sent To  
**Mr. Brett Loethen**  
Street Apt. No.  
or PO Box No. **Downtown Spd Rg LLC / PO Box 50306**  
City, State, ZIP+4  
**Spd, MO 65805-0306**  
PS Form 3800, August 2006 See Reverse for Instructions